

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DONNELL P. PUGH,

Petitioner

v.

ATTORNEY GENERAL, *et al.*,

Respondents

2:14-cv-00752-JAD-VCF

**Order Granting Motion
for Late Filing
[#11]**

In this habeas corpus action, the respondents were scheduled to file an answer to the petitioner's remaining claims by August 19, 2015. *See* Order entered May 19, 2015 (Doc. 9); Notice of Abandonment, filed June 17, 2015 (Doc. 10). On August 21, 2015, respondents filed a Motion to File Late Pleading (Doc. 11), seeking leave of court to file the answer late. Respondents' counsel states that a calendaring error caused the tardy filing. This is the first extension of this deadline. There is no indication that petitioner opposes the extension of time. Respondents then filed their answer on August 28, 2015 (Doc. 12).

Respondents' motion is made in good faith and not solely for the purpose of delay; there is good cause for the extension of time respondents request; and respondents' counsel has shown excusable neglect for missing the August 19 deadline. *See* LR 6-1(b) ("A request made after the expiration of the specified period shall not be granted unless the moving party, attorney, or other person demonstrates that the failure to act was the result of excusable neglect.").

IT IS THEREFORE ORDERED that respondents' Motion to File Late Pleading [ECF 11] is **GRANTED**. Respondents' answer is deemed timely filed.

IT IS FURTHER ORDERED that **petitioner has until and including October 15, 2015, to file and serve a reply.**

Dated this 8th day of September, 2015.



Jennifer A. Dorsey
United States District Judge